

JOHN S. CONNOR, INC

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Global Logistics Solutions

September 15, 2004

The Secretary, Federal Maritime Commission
800 North Capital Street NW
Washington, DC 20573-0001

RE: Petition Nos. P3-03,
P5-03, P7-03, P8-03, P9-03,
P1-04, P2-04, P4-04 – NVOCC Tariff Exemption Proceedings

COMMENTS OF JOHN S. CONNOR, INC.

Gentlemen:

Please accept these as our official comments in response to the recent petition of UPS, BAX Global, C. H. Robinson, Danzas Corporation, BDP International, NITL, and Fedex Trade

My name is Lee Connor, President of John S. Connor, Inc. located at 799 Cromwell Park Dr, Suite A-G, Glen Burnie, MD 21061. We conduct business as a licensed NVOCC and Freight Forwarder as well as Customs Broker and Steamship Agent. Our business involves ocean and air shipments of which we handle approximately 50,000 shipments a year. Our NVOCC (JS Connor Containerline) processes approximately 3,000 shipments a year.

We are members of NCBFAA and agree whole heartedly with the NCBFAA position on this matter, including the original petition on file from NCBFAA. The current proposal is flawed in our view because it does not address the necessity and importance of eliminating the current burden of filing tariffs on the part of the NVOCC community at large. This obligation adds unnecessary time and cost to the process which ultimately must be paid by the shipping public. Furthermore, it is our view that the published tariffs serve no real purpose as it is our experience that the tariffs on file today are not accessed or relied upon by the shipping public.

We also want to bring to the attention of the FMC that there could be a misimpression that the current petition represents a "Unified Approach". The petitioners request, which basically seeks authority to enter service contracts, does not go far enough and does not represent the views of us nor most other NVOCC businesses.



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The fact is that most NVOCC business is based on individual negotiations with our clients, the shippers. It is conducted in a fast paced environment in a competitive market place. It is our view that market pricing is artificially inflated because of the requirement to file tariffs with the FMC.

It is important to note that pricing agreements with shippers can be immortalized in written form in our own files without having to be formally submitted to the FMC. These are and would still be subject to review by the FMC as necessary. This can be accomplished without subjecting NVO's to the time and expense of tariff filing.

Accordingly, the NCBFAA petition seeking the broad tariff exemption relief is far more preferable and in the best interest of the shipping public at large. This would eliminate the needless expense of tariff filing, permit NVOCC's to be more responsive to the market place and still allow for FMC oversight, should there be any abuses. Therefore we urge the FMC to take prompt action in granting the NCBFAA petition rather than acting on the most recent filing by the above mentioned petitioners.

We thank you for your consideration of these comments and remain at your disposal to provide further information.

Sincerely,
JOHN S. CONNOR, INC.

Lee Connor
President

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Enclosures